

July 19, 2017

Mr. Devin Leary  
Human & Rohde Inc.  
512 Virginia Avenue  
Towson, MD 21286

RE: Schneider Property at 1903 Stringtown Road  
Forest Buffer Variance  
Tracking # 3-17-2497

Dear Mr. Leary:

A request for a variance from the Baltimore County Code Article 33 Environmental Protection and Sustainability (EPS), Title 3 Law for the Protection of Water Quality, Streams, Wetlands and Floodplains (i.e. Forest Buffer Law) was received by this Department on July 12, 2017. If granted, this variance would authorize the continued use of approximately 0.47 acres of a 6.4-acre (+/-) Forest Buffer Easement for residential uses, including a corn crib, yard area, and access paths. Additionally, the variance would allow a 0.1-acre reduction of this buffer to provide a reasonable yard for the existing dwelling that predates this Law. Consequently, the total buffer area to be impacted would be approximately 0.6 acre.

This Department has evaluated the request and finds that an unreasonable hardship would result from full compliance with the Forest Buffer Law, which would require abandonment of all existing uses in the Forest Buffer Easement and allowing its conversion to a fully functioning buffer. This is especially true given that the house, corn crib, and portion of the maintained yard within the buffer predate this law. Furthermore, we find that impacts to water quality resulting from the variance request can be minimized by relocating the shed outside of this buffer and limiting the amount of buffer that may continue to be disturbed. Moreover, we find that these impacts can be adequately mitigated by planting remaining open portions of Forest Buffer Easement and posting its limit with protective signage.

Based on these findings, EPS has determined that the variance criteria are met in this case. Therefore, the requested variance is hereby approved in accordance with Section 33-3-106 of Baltimore County Code with the following conditions:

1. The area of continued use within the Forest Buffer Easement shall be limited to the 0.57-acres delineated on the Forest Buffer Protection Plan (FBPP)

- accompanying the variance application. That 0.57 acres (15,800 square feet) includes the area surrounding the corn crib, and the paths through the buffer to access both the corn crib and the pasture landlocked by the Forest Buffer Easement in the rear of the property. The area of buffer reduction is limited to the 0.1 acre (4,760 square feet) behind the existing house in order to provide the 35-foot setback to the Forest Buffer Easement required by Section 33-3-111.
2. The recently improved shed shall be relocated outside of the Forest Buffer Easement to the location shown on the FBPP accompanying the variance application. The shed shall be removed by September 30, 2017. The corn crib may remain in place provided its footprint remains the same as existed prior to its improvement.
  3. There shall be no intensification or expansion of these authorized uses within the recorded Forest Buffer Easement. All current mowing or other disturbances in the Forest Buffer Easement not authorized herein shall cease immediately.
  4. 0.47 acre of open Forest Buffer Easement and the 0.3 acre (13,570 sf) of previously cleared buffer area shall be planted with native deciduous species of trees using minimum 1-inch caliper, either container grown or B&B stock, in accordance with an EPS-approved FBPP prior to April 30, 2018. The planting shall be located in such a way as to provide shade to the stream. The FBPP provided with the variance application must be revised to address EPS staff comments.
  5. The entire outer Forest Buffer Easement and/or Forest Conservation Easement throughout the entire property shall be posted with "Forest Buffer-Do Not Disturb" signs as shown on the approved FBPP by April 30, 2018 or prior to issuance of any permits for the development.
  6. A performance security equal to 110% of an EPS-approved itemized cost estimate for implementation of the approved FBPP shall be posted by August 19, 2017.
  7. Any change in general land use on the property shall negate this variance, thus requiring full compliance with this law, as may be amended at that time.
  8. The following note must be on all plans for this project:

A variance was granted to the Law for the Protection of Water Quality, Streams, Wetlands and Floodplains by Baltimore County EPS on July 19, 2017 to allow continued use of approximately 0.5 acres of Forest Buffer Easement and a 0.1 acre reduction of that easement to serve the existing residence and accessory uses. Conditions were placed on this variance to

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minimize impacts to water quality including planting and permanent posting of the undisturbed Forest Buffer Easement. Abandonment of these existing uses shall negate this variance requiring full compliance with this law.

9. All subsequent plans and plats, including the approved FBPP, must reflect the conditions of this variance.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout may require submittal of revised plans and a new variance request.

Please have the party responsible for meeting the conditions of the variance approval sign the statement below and return a signed copy of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please call Mr. Glenn Shaffer at (410) 887-3980.

Sincerely yours,

Vincent J. Gardina  
Director

c. Mr. Michael Demos, Property Owner

VJG/ges

I/we agree to the above conditions to bring my/our property into compliance with Baltimore County's Law for the Protection of Water Quality, Streams, Wetlands and Floodplains.

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Owner's Signature

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Date

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Printed Name